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December 3, 2013

**BY ECF**

The Honorable John G. Koeltl  
United States District Court Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

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Re: Chen v. Major League Baseball, et al. No. 13 Civ. 5494 (JGK)

Dear Judge Koeltl:

We represent Defendants Major League Baseball Properties, Inc. and The Office of the Commissioner of Baseball d/b/a Major League Baseball (collectively referred to hereinafter as “Defendants”) in the above-referenced matter. We write in response to Plaintiff’s letter, dated November 25, 2013, requesting that the Court deny Defendants’ motion to dismiss as moot based on the First Amended Class Complaint, which was filed with the Court and served on Defendants by U.S. and electronic mail on November 25, 2013.

Defendants have reviewed the amended complaint and do not believe that it cures the legal deficiencies that existed in the previous version. Accordingly and as discussed during the October 7, 2013 conference, Defendants intend to move to dismiss the amended complaint by December 12, 2013.

Respectfully Submitted,

s/ *Elise M. Bloom*

Elise M. Bloom

cc: Justin M. Swartz, Esq.  
Juno Turner, Esq.  
Mark Batten, Esq.  
Joshua Fox, Esq.  
Seth Kaufman, Esq.